

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

RICHARD MARTIN,)
Petitioner,)
v.) No. 2:21-cr-00016-JAW-1
No. 2:22-cv-00311-JAW
UNITED STATES OF AMERICA,)
Respondent.)

ORDER AFFIRMING RECOMMENDED DECISION

The United States Magistrate Judge filed with the Court on August 24, 2023 his Recommended Decision (ECF No. 69), recommending that the Court deny petitioner Richard Martin's Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence. (ECF No. 49). On October 11, 2023, Mr. Martin objected to the Magistrate Judge's Recommended Decision. *Objs. to Recommended Decision on 28 U.S.C. § 2255 Mot.* (ECF No. 72). On October 25, 2023, the Government responded. *Gov't's Resp. to Pet'r's Objs. to the Magistrate Judge's Report and Recommended Decision* (ECF No. 73).

The Court reviewed and considered the Magistrate Judge's Recommended Decision, together with the entire record; the Court made a de novo determination of all matters adjudicated by the Magistrate Judge's Recommended Decision; and the Court concurs with the recommendations of the United States Magistrate Judge for the reasons set forth in his Recommended Decision, and determines that no further proceeding is necessary.

1. It is therefore ORDERED that the Recommended Decision of the

Magistrate Judge (ECF No. 69) be and hereby is AFFIRMED.

2. It is further ORDERED that Richard Martin's Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence (ECF No. 49) be and hereby is DENIED.
3. Finding that there is no substantial showing of the denial of a constitutional right within the meaning of 28 U.S.C. § 2253(c)(2), the Court also DENIES a certificate of appealability pursuant to Rule 11 of the Rules Governing Section 2255 Cases.

SO ORDERED.

/s/ John A. Woodcock, Jr.
JOHN A. WOODCOCK, JR.
UNITED STATES DISTRICT JUDGE

Dated this 13th day of May, 2024